

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01182-TSC**

COLE v. COPAN et al  
Assigned to: Judge Tanya S. Chutkan  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/24/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****DAVID COLE**

represented by **John M. Clifford**  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**WALTER G. COPAN**  
*DR., in his official capacity as Director of  
the National Institute for Standards and  
Technology*

represented by **Paul Cirino**  
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**Defendant**

**NATIONAL INSTITUTE OF  
STANDARDS AND TECHNOLOGY**

represented by **Paul Cirino**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
04/24/2019	<u>1</u>	COMPLAINT for Injunctive Relief against WALTER G. COPAN <i>Director, National Institute of Technology</i> ( Filing fee \$ 400 receipt number 0090-6078146) filed by DAVID COLE. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for service on US Attorney, # <u>3</u> Summons for service on Attorney General, # <u>4</u> Summons for service on NIST Director Copan)(Clifford, John) (Attachment 1 replaced on 4/24/2019) (zef, ). (Entered: 04/24/2019)
04/24/2019		Case Assigned to Judge Tanya S. Chutkan. (zef, ) (Entered: 04/24/2019)
04/24/2019	<u>2</u>	ENTERED IN ERROR.....SUMMONS (3) Issued Electronically as to WALTER G. COPAN, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef, ) Modified on 4/26/2019 (zef, ). (Entered: 04/24/2019)
04/26/2019		NOTICE OF CORRECTED DOCKET ENTRY: re <u>2</u> Summons Issued Electronically as to AUSA was entered in error and counsel was instructed to refile with summons for FOIA complaints. (zef, ) (Entered: 04/26/2019)

04/26/2019		SUMMONS Not Issued as to WALTER G. COPAN, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (znmw) (Entered: 05/07/2019)
05/08/2019	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE filed by DAVID COLE. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(Clifford, John) (Entered: 05/08/2019)
05/09/2019	<u>4</u>	SUMMONS (3) Issued Electronically as to WALTER G. COPAN, U.S. Attorney and U.S. Attorney General (ztd) (Entered: 05/09/2019)
07/18/2019	<u>5</u>	NOTICE of Appearance by Paul Cirino on behalf of All Defendants (Cirino, Paul) (Entered: 07/18/2019)
08/05/2019	<u>6</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by WALTER G. COPAN, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) . (Entered: 08/05/2019)
08/06/2019		MINUTE ORDER: Defendants' Consent Motion to Extend Time to Answer Complaint <u>6</u> is GRANTED. Defendants shall answer or otherwise respond to the Complaint on or before September 13, 2019. Signed by Judge Tanya S. Chutkan on 8/6/2019. (lctsc3) (Entered: 08/06/2019)
08/06/2019		Set/Reset Deadlines: Defendants' Answer or Responsive Pleading due by 9/13/2019. (zjd) (Entered: 08/06/2019)
09/13/2019	<u>7</u>	ANSWER to Complaint by WALTER G. COPAN, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.(Cirino, Paul) (Entered: 09/13/2019)
09/22/2019		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than 10/31/19. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 9/22/19. (DJS) (Entered: 09/22/2019)
09/23/2019		Set/Reset Deadlines: Joint Status Report due by 10/31/2019. (tb) (Entered: 09/23/2019)
10/31/2019	<u>8</u>	Joint STATUS REPORT by WALTER G. COPAN, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 10/31/2019)
11/01/2019		MINUTE ORDER: Having considered the parties' joint status report <u>8</u> , it is hereby ordered that Defendants' Motion for Summary Judgment shall be filed on or before December 21, 2019, and shall include a Vaughn Index. Plaintiff's combined Cross-Motion/Opposition shall be filed on or before February 4, 2020. Defendants' combined Opposition/Reply shall be filed on or before March 4, 2020. Plaintiff's Reply shall be filed on or before March 18, 2020. Signed by Judge Tanya S. Chutkan on 11/1/19. (DJS) (Entered: 11/01/2019)
11/01/2019		Set/Reset Deadlines: Cross Motion due by 2/4/2020. Response to Cross Motion due by 3/4/2020. Reply to Cross Motion due by 3/18/2020. Summary Judgment motion due by 12/21/2019. Response to Motion for Summary Judgment due by 2/4/2020. Reply to Motion for Summary Judgment due by 3/4/2020. (tb) (Entered: 11/01/2019)